UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,501	11/02/2001	Barry R. Mumm	R48.12-0019	8350

7590   03/11/2005

John Veldhuis-Kroeze
WESTMAN CHAMPLIN & KELLY
Suite 1600 - International Centre
900 South Second Avenue
Minneapolis, MN 55402-3319

EXAMINER
THANGAVELU, KANDASAMY

ART UNIT	PAPER NUMBER
2123	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/005,501	MUMM ET AL.
	Examiner	Art Unit	
	Kandasamy Thangavelu	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _02 November 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _2 November 2001_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _02 November 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _2 November 2001_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-11 of the application have been examined.

Information Disclosure Statement

2.   Acknowledgment is made of the information disclosure statements filed on

November 2, 2001. The patents have been considered.

Drawings

3.   The drawings submitted on November 2, 2001 are accepted.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-
(1) an application for patent, published under section 122(b), by another filed in the United States before the
invention by the applicant for patent, except that an international application filed under the treaty defined in
section 351(a) shall have the effect under this subsection of a national application published under section 122(b)
only if the international application designating the United States was published under Article 21(2)(a) of such
treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this
subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5.   Claims 1-6, 8 and 11 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Ikeda**

et al. (U.S. Patent Application 2003/0109949).

5.1   **Ikeda et al.** teaches Commodity design creating and processing system. Specifically as

per claim 1, **Ikeda et al.** teaches a method of providing designer product planning information to

a customer of a designer product manufacturer in order to customize designer products

comprised of combinations of components and/or modules (Abstract, L3-12); the customer

operating a client computer in communication with a computer network (Abstract, L3-12; Page

1, Para 0001; Page 4, Para 0120); the method comprising:

transmitting computer executable instructions over the computer network to the client

computer (Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120), which when executed on the

client computer cause a web browser on the client computer to prompt the customer to input

designer product configuration preferences (Page 1, Para 0008; Page 7, Para 0166 to Para 0172);

receiving over the computer network from the client computer the designer product

configuration preferences input by the customer (Page 1, Para 0008);

retrieving drawing data, from a database of designer product drawings, for a drawing of a

designer product corresponding to the configuration preferences input by the customer (Abstract,

L3-12; Page 1, Para 0008; Page 5, Para 0129 and Para 0131); and

transmitting computer executable instructions corresponding to the retrieved drawing

data over the computer network to the client computer (Abstract, L3-12; Page 5, Para 0129 and

Para 0131), which when executed on the client computer cause the web browser on the client

computer to display the drawing of the designer product corresponding to the configuration

preferences input by the customer (Abstract, L3-12; Page 1, Para 0008; Page 5, Para 0129 and

Para 0131; Page 7, Para 0172).

Per Claim 2: **Ikeda et al.** teaches the designer product is an office furniture system

workstation (Page 2, Para 0018).

Per Claims 3, 4, 5 and 6: **Ikeda et al.** teaches transmitting computer executable

instructions over the computer network to the client computer (Abstract, L3-12; Page 1, Para

0001; Page 4, Para 0120), which when executed on the client computer cause a web browser on

the client computer to prompt the customer to input designer product configuration preferences

(Page 1, Para 0008; Page 7, Para 0166 to Para 0172);

transmitting computer executable instructions over the computer network to the client

computer (Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120), which when executed on the

client computer cause the web browser on the client computer to prompt the customer to input a

preferred workstation configuration (Page 1, Para 0008);

which when executed on the client computer cause the web browser on the client

computer to prompt the customer to input a preferred workstation size (Page 4, Para 0121);

which when executed on the client computer cause the web browser on the client

computer to prompt the customer to input a preferred workstation quantity (Page 16, Para 0295);

which when executed on the client computer cause the web browser on the client

computer to prompt the customer to input a preferred workstation orientation (Page 1, Para

0008).

Per Claim 8: **Ikeda et al.** teaches transmitting computer executable instructions corresponding to the retrieved drawing data over the computer network to the client computer (Abstract, L3-12; Page 5, Para 0129 and Para 0131), which when executed on the client computer cause the web browser on the client computer to display the drawing of the designer product corresponding to the designer product preferences input by the customer (Abstract, L3-12; Page 1, Para 0008; Page 5, Para 0129 and Para 0131; Page 7, Para 0172), further comprises:

transmitting computer executable instructions over the computer network to the client computer (Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120), which when executed on the client computer cause the web browser on the client computer to display a plurality of different downloadable file types, each corresponding to the designer product preferences input by the customer (Page 7, Para 0166 to Para 0172).

Per Claim 11: **Ikeda et al.** teaches transmitting computer executable instructions over the computer network to the client computer (Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120), which when executed on the client computer cause the web browser on the client computer to query the user to provide an input indicative of a desire to order the designer product corresponding to the designer product preferences input by the customer; and receiving over the computer network from the client computer an order for the designer product corresponding to the designer product preferences input by the customer (Abstract, L16-19).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

7.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

8.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ikeda et al.** (U.S.

Patent Application 2003/0109949) in view of **Quintero et al.** (U.S. Patent 5,293,479).

8.1   As per claim 7, **Ikeda et al.** teaches the method of claim 6. **Ikeda et al.** teaches

transmitting computer executable instructions over the computer network to the client computer

(Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120), which when executed on the client

computer cause a web browser on the client computer to prompt the customer to input designer

product configuration preferences (Page 1, Para 0008; Page 7, Para 0166 to Para 0172);

transmitting computer executable instructions over the computer network to the client

computer (Abstract, L3-12; Page 1, Para 0001; Page 4, Para 0120).

Ikeda et al. does not expressly teach computer executable instructions when executed on

the client computer cause the web browser on the client computer to prompt the customer to

input at least one of fabric grade preferences, under-worktop storage component and/or module

preferences, overhead storage component and/or module preferences, computer support

component and/or module preferences, and series type preferences. **Quintero et al.** teaches

computer executable instructions when executed on the computer cause the program on the

computer to prompt the customer to input at least one of fabric grade preferences, under-worktop

storage component and/or module preferences, overhead storage component and/or module

preferences, computer support component and/or module preferences, and series type

preferences (CL3, L49-55; CL4, L3-20), because the furniture system comprises several basic

components (CL4, L 6-8) and as per **Ikeda et al.** the components should all fit properly to meet

the customer preferences (Abstract, L9-10). It would have been obvious to one of ordinary skill

in the art at the time of Applicants' invention to modify the method of **Ikeda et al.** with the

method of **Quintero et al.** that included computer executable instructions when executed on the

computer cause the program on the computer to prompt the customer to input at least one of

fabric grade preferences, under-worktop storage component and/or module preferences,

overhead storage component and/or module preferences, computer support component and/or

module preferences, and series type preferences. The artisan would have been motivated

because the furniture system would comprise several basic components and the components

should all fit properly to meet the customer preferences.

9.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ikeda et al.** (U.S.

Patent Application 2003/0109949) in view of **Han et al.** (U.S. Patent Application

2002/0052807).

9.1   As per claim 9, **Ikeda et al.** teaches the method of claim 8. **Ikeda et al.** teaches that the

plurality of different file types include one or more of a three dimensional drawing file (Page 1,

Para 0008) and a CAD drawing, (Page 4, Para 0122; Page 5, Para 0136).

Ikeda et al. does not expressly teach that the plurality of different file types include one

or more of a two dimensional drawing file and a Bill of Materials file. **Han et al.** teaches that

the plurality of different file types include one or more of a two dimensional drawing file (Page

5, Para 0063) and a Bill of Materials file (Page 2, Para 0020; Page 5, Para 0063), because the

online service supports product data including bill of materials and two and three dimensional

drawings (Page 5, Para 0063).   It would have been obvious to one of ordinary skill in the art at

the time of Applicants' invention to modify the method of **Ikeda et al.** with the method of **Han

et al.** that included the plurality of different file types including one or more of a two

dimensional drawing file and a Bill of Materials file. The artisan would have been motivated

because the online service supports product data including bill of materials and two and three

dimensional drawings.

10.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ikeda et al.** (U.S. Patent Application 2003/0109949) in view of **Ouchi** (U.S. Patent Application 2003/0078975).

10.1   As per claim 10, **Ikeda et al.** teaches the method of claim 8. **Ikeda et al.** does not expressly teach receiving over the computer network from the client computer a request to download one of the plurality of different file types corresponding to the designer product preferences input by the customer; and transmitting over the computer network to the client computer the requested one of the plurality of different file types corresponding to the designer product preferences input by the customer. **Ouchi** teaches receiving over the computer network from the client computer a request to download one of the plurality of different file types corresponding to the designer product preferences input by the customer; and transmitting over the computer network to the client computer the requested one of the plurality of different file types corresponding to the designer product preferences input by the customer (Page 1, Para 0003, Para 0004 and Para 0010), because for design and manufacture of the product the information is in the form of computer files (Page 1, Para 0006); and the process steps are executed by the users or programs that use the files (Page 1, Para 0004). It would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to modify the method of **Ikeda et al.** with the method of **Ouchi** that included receiving over the computer network from the client computer a request to download one of the plurality of different file types corresponding to the designer product preferences input by the customer; and transmitting over the computer network to the client computer the requested one of the plurality of different

file types corresponding to the designer product preferences input by the customer. The artisan

would have been motivated because for design and manufacture of the product the information

would be in the form of computer files; and the process steps would be executed by the users or

programs that used the files.

Conclusion

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dr. Kandasamy Thangavelu whose telephone number is

571-272-3717. The examiner can normally be reached on Monday through Friday from

8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kevin Teska, can be reached on 571-272-3716. The fax phone number for

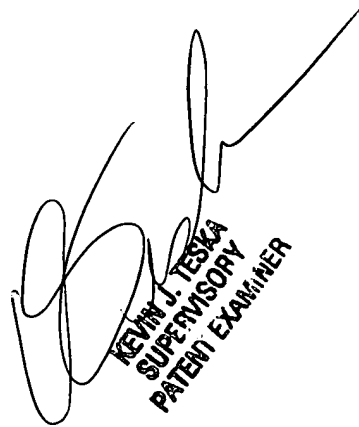the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

9600.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

K. Thangavelu
Art Unit 2123
March 5, 2005